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SEP 10 2020

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
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Case #: 1:20-cv-00397-DAD-BAM

United States District Court
Eastern District of California

Terrence Jesse Moore

- vs -

S. Calderon

Objections to Magistrate

Judge's Findings and Recommendation

Plaintiff hereby objects to Magistrate Judge's findings and recommendation to dismiss plaintiff's case.

In support of Plaintiff's objection, plaintiff hereby states:

1) Line 23-24 of page 2 of Findings and Recommendation claims I alleged that Calderon was not advancing a legitimate penological interest and legitimate goal by making me take my shirt off. I did not simply allege that he made me take my shirt off. I alleged that he told me to show him my "tits" since I think I'm a woman or he'd screw me over.

2) Lines 27-28 of page 4 and line 1 of page 5 of Finding and Recommendation claim I alleged that Calderon required me to remove my shirt to go to the shower. This is false. I did not alleged that he wanted me to take my shirt off to go to the shower. I alleged that Calderon ordered me to show him my breasts simply to see my breasts and if not then he would retaliate against me for not showing my breasts to him.

3) Line 24 of page 4 of Findings and Recommendation state that I must allege

1 that there was no legitimate penological objective and that the statement made
2 was so extreme even for a prison setting and was calculated to cause psychological
3 harm. On line 1 and 2 of page 5 it clearly states that I claimed that ~~the~~
4 the statement was unusually gross even for a prison setting and is calculated to and
5 did cause me psychological damage. That is not a conclusory statement.
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7 4) Everything I claimed is facts and my claim needs to go to trial.
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Terrance Jesse Marie
- plaintiff -